

**COPY
FILED**

IN THE UNITED STATES DISTRICT COURT FEB 7 - 2005
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
U.S. DISTRICT COURT
CLARKSBURG, WV 26301

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 1:05 CR 04


DANIEL WILSON TESTERMAN,

Defendant.

MOTION TO CONTINUE

NOW COMES the Defendant, DANIEL WILSON TESTERMAN, by and through his attorney, GEORGE J. COSENZA, and moves the Court to continue the trial in the above-cited case scheduled on March 28, 2005, at 9:30 a.m. on the grounds that Defendant's counsel is previously scheduled to be out of West Virginia on vacation from March 23, 2005 through and including March 28, 2005. The Defendant waives his right to a speedy trial as contained in the Waiver attached hereto as Exhibit "A".

Dated this 3 day of February, 2005.



George J. Cosenza - WV Bar No. 833
COSENZA & MERRIMAN, PLLC
515 Market Street - P.O. Box 4
Parkersburg, WV 26102
(304) 485-0990
Counsel for Defendant

v.

Criminal No. 1:05 CR 04

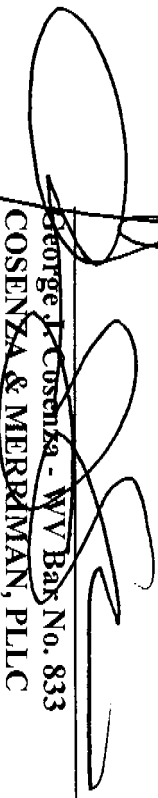
DANIEL WILSON TESTERMAN,

Defendant.

WAIVER

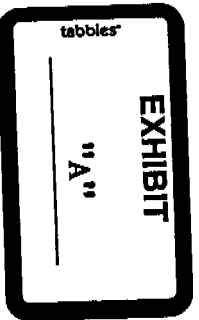
The Defendant, DANIEL WILSON TESTERMAN, hereby waives his right to a speedy trial in the above-cited matter.

Dated this 3 day of February, 2005.



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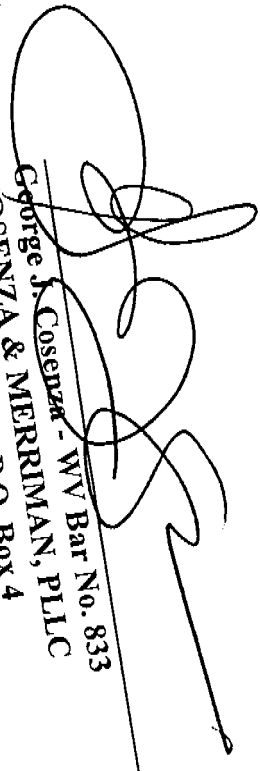
Daniel Wilson Testerman
DANIEL WILSON TESTERMAN, Defendant



STATES OF AMERICA, et al. vs. [redacted] 3 day of February,

prepaid, addressed to Thomas E. Johnston, United States Attorney, Charleston,
West Pike Street, Suite 300, Clarksburg, West Virginia, 26301-2710 on this

2005.



George J. Cosenza - WV Bar No. 833
COSENZA & MERRIMAN, PLLC

515 Market Street - P.O. Box 4
Parkersburg, WV 26102
(304) 485-0990
Counsel for Defendant

